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Attorney for Defendant  
CAROL ROTH

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. Cr. S 03-144 WBS
	)	
Plaintiff,	)	DEFENDANT'S AMENDED
	)	NOTICE OF MOTION AND MOTION TO
v.	)	TERMINATE SUPERVISION PURSUANT TO
	)	18 USC § 3583(E)(1)
CAROL ROTH,	)	
	)	
Defendant.	)	
	)	Time:
_____	)	Judge: Hon. William B. Shubb

**TO: MCGREGOR W. SCOTT, UNITED STATES ATTORNEY AND CAROLYN K. DELANEY,  
EXECUTIVE ASSISTANT UNITED STATES ATTORNEY, ATTORNEYS FOR THE  
PLAINTIFF:**

PLEASE TAKE NOTICE that the defendant, Carol Roth, through  
undersigned counsel, hereby moves the Court to terminate supervision  
pursuant to 18 U.S.C. § 3583(e)(1).

1  
2  
3 **I. FACTS**

4 Ms. Roth was arrested on April 4, 2003 on federal charges dealing  
5 with the distribution 1,4 Butandiol in violation of federal drug laws.  
6 Her first appearance in the case was on April 4, 2003. She was  
7 released that same day on an unsecured appearance bond and with  
8 pretrial supervision.

9 Ms. Roth ultimately entered into a plea agreement and was  
10 sentenced to a total of three months in BOP custody. She had been  
11 supervised by pretrial services more than 30 months without incident.

12 In April of 2006 Ms. Roth self-surrendered to serve her three  
13 month sentence. Since her release she has maintained steady  
14 employment. She recently a child and bought her first home. She has  
15 been supervised for more than 24 months by the U.S. Probation Office.  
16 Her probation officer is Toni Ortiz.<sup>1</sup>

17 During the time she has been on supervision Ms. Roth has followed  
18 all the instructions of her probation officer. She has no fines or  
19 special assessments left to pay. No petitions to violate her  
20 supervision have ever been filed.

21 ***The defendant's probation officer, Toni Ortiz, has no opposition***  
22 ***to this request. Counsel for the government, Carolyn Delaney, has been***  
23 ***consulted and has indicated that she has no objection to this request.***

24 **II. LAW**

25 18 U.S.C. 3583(e)(1) states that the Court may terminate  
26 supervision at any time after the one year if the Court is "satisfied  
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28 <sup>1</sup>Toni Ortiz can be reached at the Sacramento probation office by  
dialing the main number 930-4300.

1 that such action is warranted by the conduct of the defendant" and if  
2 such action is in the interests of justice.

3 This case was Ms. Roth's first involvement with the criminal  
4 justice system. Ms. Roth's conduct during her 30 months of pretrial  
5 supervision and during the two years of probation's supervision  
6 following her release from custody has been exemplary. She has  
7 followed all of her probation officer's instructions, paid her required  
8 fines and maintained steady employment. She bought a house during the  
9 pendency of this case. She has also maintained a steady relationship  
10 during all this time and has had a child.

11 Last summer the defense moved for termination. The government  
12 opposed termination at that time. The government's position was that  
13 while early termination should be considered for Ms. Roth, the  
14 government felt that last summer was too soon to do so. The government  
15 indicated that 24 months of supervision would be more appropriate  
16 before the Court considered early termination. Ms. Roth has now been  
17 supervised for nearly 26 months.

18 Ms. Roth respectfully requests that this Court now terminate her  
19 supervision.  
20  
21

22 Dated: June 13, 2008

Respectfully submitted,


23 DANIEL J. BRODERICK  
24 Federal Defender

25  
26 /s/ Linda C. Harter  
27 LINDA C. HARTER  
28 Chief Assistant Federal Defender  
Attorney for Defendant  
CAROL ROTH

O R D E R

Pursuant to 18 U.S.C. § 3583(e), Carol Roth's supervised release is ordered terminated. Early termination is warranted based on the conduct of the releasee and is in the interests of justice.

Dated: June 13, 2008

A handwritten signature in blue ink, appearing to read "William B. Shubb", is written over a horizontal line.

WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE